

# COMMITTEE AMENDMENT FORM

DATE: 10/29/08

COMMITTEE ZONING PAGE NUM. (S) 1  
ORDINANCE I. D. #08-O-0308 SECTION (S)  
RESOLUTION I. D. #08-R- PARA.

AMENDS THE LEGISLATION BY ADDING NINE (9) CONDITIONS ONE OF WHICH IS A SITE PLAN RECEIVED BY THE BUREAU OF PLANNING ON SEPTEMBER 15, 2008.

AMENDMENT DONE BY COUNCIL STAFF 10/17/08

City Council  
Atlanta, Georgia

**08-O-0308**

AN AMENDED ORDINANCE  
BY: ZONING COMMITTEE

**Z-08-05**  
Date Filed: 01-8-08

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **40, 50, 54, 60 and 66 Moreland Avenue, S.E.**, be changed from the R-5 (Single-family Residential) District to the MR4A-C (Multi-family Residential-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 14, 17<sup>th</sup> District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

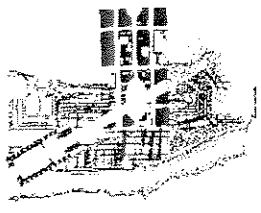
SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

**Conditions for Z-08-05 for 40, 50, 54, 60, 66 Moreland Avenue, S.E.**

1. The property that is currently zoned R-5 shall be re-zoned to MR-4A-C and developed according to the standards therein and in accordance with the series of three sheets containing site plan drawing, elevations and other diagrams prepared by MXD for Reynoldstown Revitalization Corporation, dated September 15, 2008 and which are attached to these conditions as Exhibit A. The conditional drawings are not intended to prohibit the application of the district regulations.
2. A building height maximum of 55 feet and four stories.
3. Any party making a request for an administrative site plan change must submit the proposed changes to the Neighborhood Planning Unit-N at the same time the request submitted to the City of Atlanta. Evidence of the provision of this request to the NPU shall be submitted to the City of Atlanta as a part of the request for the change.
4. Any application for a Special Administrative Permit (SAP) and/ or other any other administrative variation to zoning regulations, submitted to the City of Atlanta, seeking the SAP and/or variation. Evidence of the provision of this request to the NPU-N shall be submitted to the City of Atlanta as a part of the request for change.
5. Development Controls. The maximum building height shall be 55' and maximum FAR is 1.49.
6. The use of Exterior Insulation and Finish Systems (EIFS), synthetic stone, or vinyl siding shall be prohibited for all exterior facades of the buildings.
7. All glass within fenestration shall be recessed from the primary building face plane by 2 inches minimum.
8. Any garbage storage apparent from a public right of way will occur within an enclosed room as part of the building. Any doors serving that room or utility rooms will be accessed by a pair of 36" wide doors maximum.
9. All garbage or refuse collection at the site will occur between the hours of 8am and 6pm.



Project:  
**REYNOLDSTOWN  
EAST GATE**  
(Site Plan & Elevations - SKA - 22)  
Owner:  
REYNOLDSTOWN REVITALIZATION  
CORPORATION  
Developer:

Consultants:

Project No. MXD- 660/2007-006  
Date: September 15, 2009  
Drawn By: M.A.K.  
Checked By: M.A.K.  
Reviewed By: M.A.K.  
In Charge: M.A.K.  
Project Location: M.A.K.  
Project Name: M.A.K.

Revisions:

Signature & Seal: [Signature]

The MXD Collaborative, Inc.  
1100 Peachtree Street, N.E.  
Atlanta, Georgia 30309-3061  
Phone: 404.477.4007 FAX: 404.477.4008

ACCESS TO PARKING  
UNDERGROUND  
(1.5 cars/unit)

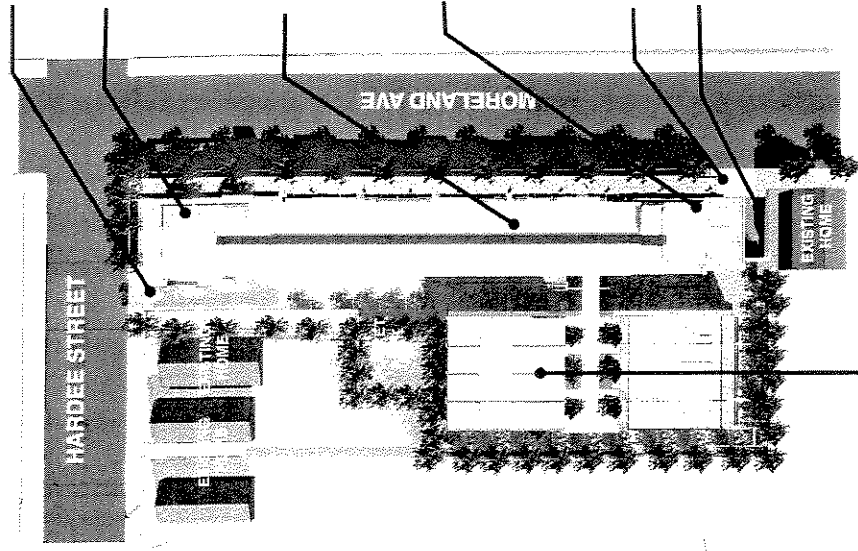
ANCHOR CORNER  
(4 LOFTS)

22 RESIDENTIAL UNITS -  
CONVERTIBLE GROUND FL  
SPACE

8 - 2 BR UNITS  
(w/transitional  
Height Plane)

20 FT WIDE SIDEWALK

ACCESS TO PARKING  
UNDERGROUND  
(1.5 cars/unit)

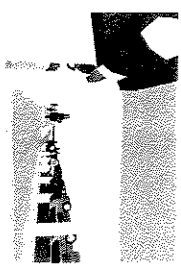


12 TOWNHOUSES  
4 - STUDIOS  
(w/transitional height  
Plane)

Site Plan

scale: r/a

50 residential units  
(75-87 cars below grade)



UNDERGROUND PARKING

From Road Deck 45.8 ft  
(above to ground level: 0.0 ft)

North Elevation [Hardee St]

COMPACTOR & RECYCLING ROOM  
ACCESS BY WASTE PICK-UP STAFF (CONTRACTOR ONLY)

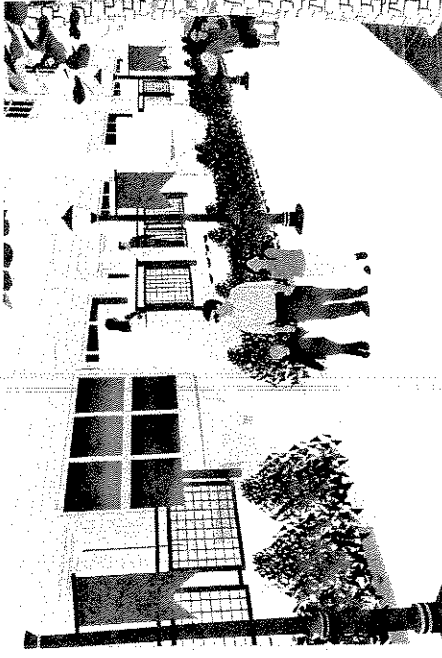
PARKING ACCESS BELOW BLOG

EXISTING DRIVE (R.O.W.) DRIVE

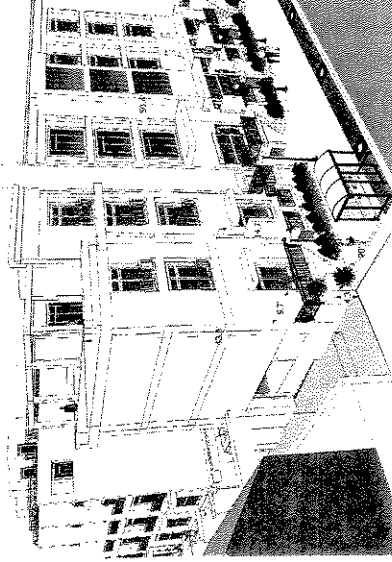
RECEIVED  
SEP 15 2008  
Bureau of  
Planning

208-06

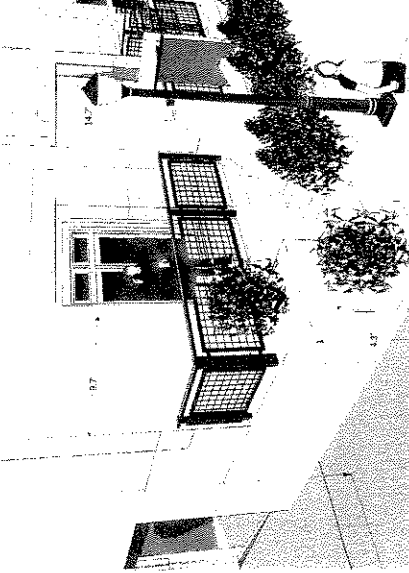
Hardee Street Elevation



Moreland Ave Units Street View



Aerial View South on Moreland Ave



Bus Stop Sidewalk View Northward



Townhouse View

**Project:**  
**REYNOLDSTOWN  
 EAST GATE**  
 Perspective Views  
 Owner:  
 REYNOLDSTOWN REVITALIZATION  
 CORPORATION  
 Developer:

Consultants

Project No. MXD-0000000000	September 15, 2006
Project Name	Reynoldstown East Gate
Location	Atlanta, Georgia
Scale	1/8" = 1'-0"
Client/Project	Reynoldstown Revitalization Corporation
Architect/Designer	MXD
Interior/Exterior	Exterior
Project Number	MXD-0000000000
Revision	
<b>Revisions:</b>	
Signature & Seal	



The MXD Collaborative, Inc.  
 2001 1000 Peachtree Street, N.E.  
 Atlanta, Georgia 30309-4000  
 Phone: 404.525.8877 EMail: info@mxdcoll.com

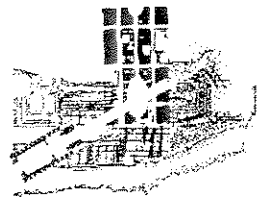


RECEIVED  
 SEP 15 2006  
 Bureau of  
 Planning

208-05



**MXD**  
The MXD Collaborative, Inc.  
1000 Peachtree Street, N.E.  
Atlanta, Georgia 30309-3305  
Phone: 404.525.1007



**Project:**  
**REYNOLDSTOWN  
EAST GATE**  
Moreland Elevations(s)  
Zone 05 (46, 55, 58, 59 & 60 Moreland Avenue, NE)  
**Owner:**  
REYNOLDSTOWN REVITALIZATION  
CORPORATION  
**Developer:**  
Consultants

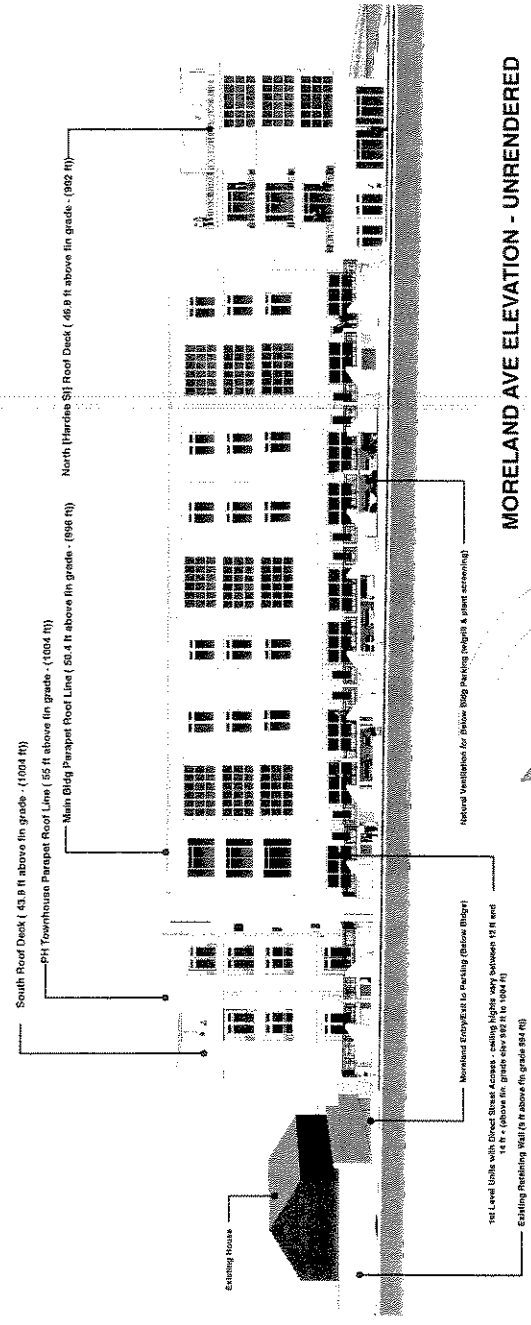
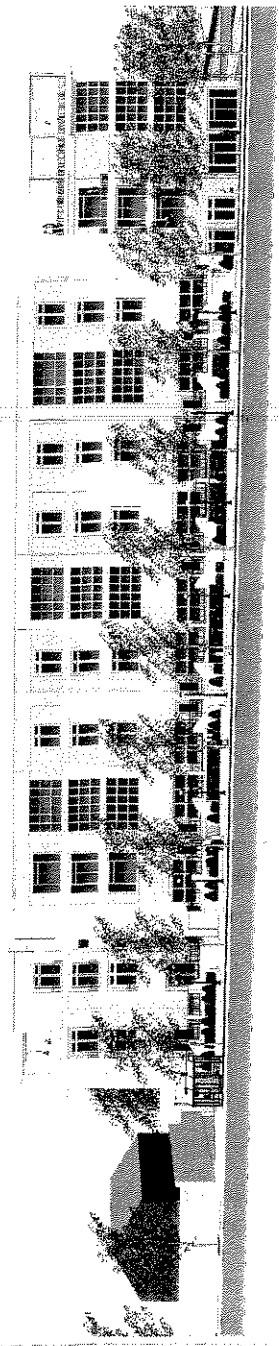
Project No. MXD- 00000000000000000000  
Revision: 15, 2008  
Date: 10/15/08  
Author: M.O.  
Checked: M.O.  
Drawn: M.O.  
Title: Architectural  
Project: REYNOLDSTOWN REVITALIZATION  
Drawing: 05-01

**Revisions:**

Signature & Seal: [Signature]

The MXD Collaborative, Inc.  
1000 Peachtree Street, N.E.  
Atlanta, Georgia 30309-3305  
Phone: 404.525.1007

**MORELAND AVE ELEVATION - RENDERED**



**MORELAND AVE ELEVATION - UNRENDERED**

RECEIVED  
SEP 15 2008  
Bureau of  
Planning

50-80-2

City Council  
Atlanta, Georgia

**08- 0 -0308**

AN ORDINANCE  
BY: ZONING COMMITTEE

**Z-08-05**  
Date Filed: 01-8-08

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **40, 50, 54, 60 and 66 Moreland Avenue, S.E.**, be changed from the R-3 (Single-family Residential) District and the C-3 (Commercial Residential) District to the MR4A (Multi-family Residential) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 14, 17<sup>th</sup> District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

## LEGAL DESCRIPTION

## EXHIBIT "A"

2-08-005

**40 and 44 Moreland Avenue**  
**a/k/a 137 S. Moreland Avenue**  
**Parcel No. 14-0014-0014-070-2**

ALL THAT TRACT or parcel of land lying and being in the City of Atlanta in Land Lot 14 of the 14<sup>th</sup> District of originally Henry County, now Fulton County, Georgia, being more particularly described as follows:

BEGINNING on the west side of Moreland Avenue, a distance of 205.1 feet south of Hardee Street; running thence, south along the west side of Moreland Avenue, a distance of 109.8 feet; thence west a distance of 198.5 feet; running thence, north 112.6 feet; running thence east 198.5 feet, to Moreland Avenue and the Point of Beginning, being improved property known as nos. 40 and 44 Moreland Avenue, N.E., less and except title to that portion of the above described property as embraced within that certain Warranty Deed from Alfred C. Hilderbrand to the City of Atlanta, dated August 5, 1960 and as recorded in Deed Book 3600, Page 358, Fulton County, Georgia records.

AND

**50 Moreland Avenue**  
**a/k/a 133 S. Moreland Avenue**  
**Parcel No. 14-0014-0014-064-5**

ALL THAT TRACT or parcel of land lying and being in the City of Atlanta, being in Land Lot 14 of the 14<sup>th</sup> District of originally Henry now Fulton County, Georgia, commencing on the west side of Moreland Avenue, 154.5 feet south of Hardee Street and Moreland Avenue and running thence, south along the west side of Moreland Avenue 50.6 feet, thence west, 198.5 feet; thence, north 50.0 feet; running thence, east, 198.5 feet to Moreland Avenue and the Point of Beginning; being improved property known as no. 50 Moreland Avenue, N.E. less and except title to that portion of the above described property as embraced within that certain Warranty Deed from Alfred C. Hilderbrand to the City of Atlanta, dated August 5, 1960 and as recorded in Deed Book 3600, Page 346, Fulton County, Georgia records.

AND

**54 Moreland Avenue**  
**a/k/a 131 S. Moreland Avenue**  
**Parcel No. 14-0014-0014-063-7**

ALL THAT TRACT or parcel of land lying and being in the City of Atlanta in Land Lot 14 of the 14<sup>th</sup> District of originally Henry County now Fulton County, Georgia and being more particularly described as follows: Beginning on the west side of Moreland Avenue, a distance of 109.5 feet south of Hardee Street and Moreland Avenue running thence, south along the west side of Moreland Avenue, a distance 45.0 feet; running thence, west a distance of 198.5 feet; running thence, north 43.4 feet; running thence, east, a distance of 198.5 feet to Moreland Avenue and the Point of Beginning; being improved property known as no. 54 Moreland Avenue and less and except that portion of the above described property embraced within that Warranty Deed from A. C. Hilderbrand to the City of Atlanta, dated August 5, 1960 recorded in Deed Book 3600, Page 348, Fulton County, Georgia records.

RECEIVED

102



**LEGAL DESCRIPTION**

**EXHIBIT "A" (continued)**

2-08005

AND

**60 Moreland Avenue**  
**a/k/a 129 S. Moreland Avenue**  
**Parcel No. 14-0014-0014-062-9**

ALL THAT TRACT or parcel of land lying and being in the City of Atlanta, in Land Lot 14 of the 14<sup>th</sup> District of originally Henry now Fulton County, Georgia and being more particularly described as follows: Commencing at a point on the west side of Moreland Avenue 73.0 feet south of Hardee Street and Moreland Avenue, running thence, south along the west side of Moreland Avenue 36.5 feet, thence west, 96.0 feet to a 13 foot alley; thence, north along the east side of said alley 36.5 feet, thence east, parallel with Hardee Street, 96.0 feet to Moreland Avenue at the Point of Beginning; being improved property known as no. 60 Moreland Avenue, N.E. less and except title to that portion of the above described as embraced within that Warranty Deed from A. C. Hilderbrand to City of Atlanta, dated August 5, 1960 and as recorded in Deed Book 3600, Page 354, Fulton County, Georgia records.

AND

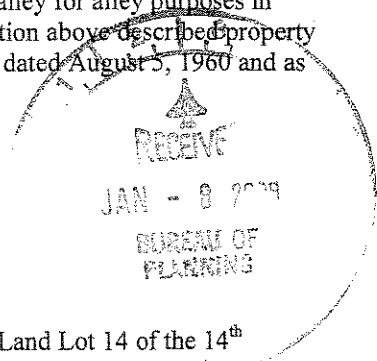
**64 Moreland Avenue**  
**a/k/a 127 S. Moreland Avenue**  
**Parcel No. 14-0014-0014-061-1**

ALL THAT TRACT or parcel of land lying and being in the City of Atlanta, Georgia, in Land Lot 14 of the 14<sup>th</sup> District of originally Henry now Fulton County, Georgia and more particularly described as follows: Commencing at a point on the west side of South Moreland Avenue, 39.0 feet south of Hardee Street and Moreland Avenue, 39.0 feet south of Hardee Street and Moreland Avenue running thence, south along the west side of Moreland, 34.0 feet; thence west, 95.0 feet to a 13 foot alley; thence north along the east side of said alley 34.0 feet; thence east parallel with Hardee Street 95.0 feet to Moreland Avenue to the Point of Beginning; being improved property known as no. 64 Moreland Avenue, N.E., together with the rights to use said alley for alley purposes in common with all the owners with lots abutting thereon; less and except title to that portion above described property as embraced within that Warranty Deed from A. C. Hilderbrand to the City of Atlanta, dated August 5, 1960 and as recorded in Deed Book 3600, Page 352, Fulton County, Georgia records.

AND

**66-68 Moreland Avenue**  
**a/k/a 123 and 125 S. Moreland Avenue**  
**Parcel No. 14-0014-0014-060-3**

ALL THAT TRACT or parcel of land lying and being in the City of Atlanta, Land Lot 14 of the 14<sup>th</sup> District of originally Henry County, Georgia, now Fulton County, Georgia commencing on the southwest corner of Moreland Avenue and Hardee Street and running thence, south along the west side of Moreland Avenue 39.0 feet, thence west parallel with Hardee Street, 96.0 feet to an alley, 13 feet wide; thence, north along the east side of said alley, 39.0 feet to Hardee Street and thence east along the south side of Hardee Street, 96.0 feet to Moreland Avenue the Point of Beginning; this being improved property known as 66-68 Moreland Avenue, N.E. less and except title to that portion of the above described property as embraced within that Warranty Deed from Alfred C. Hilderbrand to City of Atlanta, dated August 6, 1960 and as recorded in Deed book 3600, Page 350, Fulton County, Georgia.



292

RCS# 1750  
2/18/08  
2:29 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE 08-O-0305, 0306, 0307, 0308, 0309, 0310, 0311  
08-O-0312, 0313, 0314, 0315, 0316  
REFER ZRB/ZONE

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 1  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
E Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	NV Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE